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## San Diego Regional Water Quality Control Board

### NOTICE OF PROPOSED SETTLEMENT AGREEMENT

WRITTEN COMMENTS DUE BY  
**5:00 p.m., April 1, 2022**

Notice is given that the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) and the International Boundary and Water Commission, United States Section (USIBWC) (collectively Parties) have tentatively agreed to enter into a Settlement Agreement (Agreement) in *People of the State of California, Ex. Rel. The Regional Water Quality Control Board, San Diego Region v. International Boundary and Water Commission, United States Section, et al.*, Case No. 3:18-cv-02050-JM-LL (United States District Court for the Southern District of California). The proposed Agreement would settle allegations brought by the San Diego Water Board in its September 4, 2018 Complaint against USIBWC seeking declaratory and injunctive relief. The Complaint alleges two causes of action: 1) violations of section 301 of the Clean Water Act (33 U.S.C. § 1311) for unpermitted discharges from USIBWC's canyon collectors to the Tijuana River caused by inadequate operation and/or maintenance of those collectors; and 2) violations of section 402 of the Clean Water Act (33 U.S.C. § 1342) for violations of its National Pollutant Discharge Elimination System (NPDES) permit authorizing discharges to the Pacific Ocean from the South Bay International Wastewater Treatment Plant (SBIWTP). Through the proposed Agreement, USIBWC commits to addressing transboundary flows in the main channel of the Tijuana River and the canyon collectors; improving its communications, planning, and reporting; and facilitating binational water quality monitoring in the Tijuana River and tributary canyons.

Pursuant to federal regulations at 40 C.F.R. § 123.27, subdivision (d), the public may submit written comments on the proposed Agreement. Written comments must be **received by 5:00 p.m. on April 1, 2022**. Comments must be emailed to [Mayumi.Okamoto@waterboards.ca.gov](mailto:Mayumi.Okamoto@waterboards.ca.gov). Please refer to the "USIBWC Settlement Agreement."

The proposed Agreement may be viewed on the San Diego Water Board's website at <https://www.waterboards.ca.gov/sandiego/>.

The San Diego Water Board, as appropriate, will consider timely submitted written comments in determining whether to withhold consent to the Agreement. Any modifications made to the Agreement after the close of the public comment period that are logical outgrowths resulting from the San Diego Water Board's consideration of those comments will not be required to be re-noticed for public comment.

CELESTE CANTÚ, CHAIR | DAVID GIBSON, EXECUTIVE OFFICER